

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

ELIZABETH CHAN, <i>et al.</i> ,)	
)	
Plaintiffs,)	
)	
v.)	No. 1:23-cv-10365-LJL
)	
UNITED STATES DEPARTMENT OF)	
TRANSPORTATION, <i>et al.</i> ,)	
)	
Defendants.)	
MICHAEL MULGREW, <i>et al.</i>)	
)	
Plaintiffs,)	
)	
v.)	No. 1:24-cv-1644-LJL
)	
UNITED STATES DEPARTMENT OF)	
TRANSPORTATION, <i>et al.</i> ,)	
)	
Defendants.)	
NEW YORKERS AGAINST CONGESTION)	
PRICING TAX, <i>et al.</i> ,)	
)	
Plaintiffs,)	
)	
v.)	No. 1:24-cv-367-LJL
)	
UNITED STATES DEPARTMENT OF)	
TRANSPORTATION, <i>et al.</i> ,)	
)	
Defendants.)	

TRUCKING ASSOCIATION OF NEW YORK,)	
)	
Plaintiff,)	
)	
v.)	
)	
METROPOLITAN TRANSPORTATION)	No. 1:24-CV-4111-LJL
AUTHORITY, <i>et al.</i> ,)	
)	
Defendants,)	
)	
LETITIA JAMES, Attorney General of the)	
State of New York,)	
)	
Intervenor.)	
METROPOLITAN TRANSPORTATION)	
AUTHORITY, <i>et al.</i>)	
)	
Plaintiffs,)	
)	
NEW YORK STATE DEPARTMENT OF)	
TRANSPORTATION, <i>et al.</i>)	
)	
Intervenor-)	No. 1:25-cv-1413-LJL
Plaintiffs)	
)	
v.)	
)	
SEAN DUFFY, in his official capacity as)	
Secretary of the United States Department of)	
Transportation, <i>et al.</i>)	
)	
Defendants.)	

NOTICE OF MOTION AND MOTION FOR LEAVE TO WITHDRAW

PLEASE TAKE NOTICE that, pursuant to Local Rule 1.4(b) of the United States District Court for the Southern District of New York, defendant Stephanie Winkelhake (in case nos. 1:23-cv-10365-LJL, 1:24-cv-1644-LJL), defendant Nicholas

Choubah (in case no. 1:23-cv-10365-LJL)¹, intervenor Letitia James (in case no. 1:24-cv-4111-LJL), defendant New York State Department of Transportation (“State DOT”) (in case nos. 1:25-cv-367-LJL, 1:24-cv-1644-LJL)² and intervenor-plaintiff State DOT (in case no. 1:25-cv-1413-LJL) hereby move to withdraw Andrew G. Frank as attorney of record given his departure from the New York State Attorney General’s Office as of Wednesday, June 18, 2025. Mihir Desai of the Attorney General’s Office has filed notices of appearance, and will continue to serve as counsel of record for the movants, in these cases. Movants accordingly respectfully request that this Court grant the motion to withdraw and terminate Mr. Frank’s association with the movants in the CM/ECF system in these cases.

¹ Ms. Winkelhake replaced Mr. Choubah as Chief Engineer of the New York State Department of Transportation, and accordingly, pursuant to Federal Rule of Civil Procedure 25(d), has been substituted for him as defendant, but Mr. Choubah remains identified as a defendant in the CM/ECF docket.

² The Court has dismissed all claims against defendant State DOT in *New Yorkers Against* and granted leave to replace State DOT as defendant with Ms. Winkelhake in *Mulgrew*, see *New Yorkers Against* ECF No. 93 at 28-29, 34 (June 20, 2024), but State DOT remains identified as a defendant in the CM/ECF dockets in these two cases.

Dated: June 16, 2025

LETITIA JAMES
Attorney General of the State of New York

By: /s/ Andrew G. Frank
Andrew G. Frank
Assistant Attorney General
New York State Attorney General's Office
28 Liberty Street
New York, NY 10005
Telephone: 212-416-8271
E-mail: andrew.frank@ag.ny.gov

Attorneys for defendant Stephanie Winkelhake (in case nos. 1:23-cv-10365-LJL, 1:24-cv-1644-LJL), defendant Nicholas Choubah (in case no. 1:23-cv-10365-LJL), intervenor Letitia James (in case no. 1:24-cv-4111-LJL), defendant N.Y.S. Dept. of Transportation (in case nos. 1:25-cv-367-LJL, 1:24-cv-1644-LJL) and intervenor-plaintiff N.Y.S. Dept. of Transportation (in case no. 1:25-cv-1413-LJL)